

**COURT OF APPEAL  
STATE OF CALIFORNIA  
THIRD APPELLATE DISTRICT**

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**The Minutes**

**January 30, 2006**

- C046161      THE PEOPLE v. ROBINSON      (Not for Publication)**  
The judgment is affirmed.  
DAVIS, J.  
We Concur: Scotland, P.J.  
Sims, J.
- C046319      THE PEOPLE v. LIGGION      (Not for Publication)**  
The judgment is affirmed.  
DAVIS, J.  
We Concur: Sims, Acting P.J.  
Hull, J.
- C046718      THE PEOPLE v. LESPERANCE      (Not for Publication)**  
The restitution fine and the parole revocation fine are vacated, and the matter is remanded... In all other respects, the judgment is affirmed.  
BUTZ, J.  
I concur: Davis, Acting P.J.  
I concur in the judgment and opinion except for part III, as to which I dissent...  
Raye, J.
- C047280      THE PEOPLE v. RAINIMA      (Not for Publication)**  
The judgment is affirmed.  
DAVIS, J.  
We Concur: Blease, Acting P.J.  
Robie, J.
- C047839      THE PEOPLE v. JACKSON      (Not for Publication)**  
The judgment is affirmed.  
DAVIS, J.  
We Concur: Scotland, P.J.  
Sims, J.
- C049409      JULIN et al. v. COUNTY OF AMADOR et al.      (Not for Publication)**  
The order denying the Julin's petition for leave to file a late claim against the County of Amador is affirmed. Costs on appeal are awarded to respondents. (Cal. Rules of Court, rule 27(a).)  
CANTIL-SAKAUYE, J.  
We Concur: Blease, Acting P.J.  
Hull, J.

**COURT OF APPEAL  
STATE OF CALIFORNIA  
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**The Minutes**

**January 30, 2006, continued**

**C049337      YOUNG AMERICA CORPORATION v. THE SUPERIOR COURT OF  
SACRAMENTO COUNTY and LYNCH      (Not for Publication)**

Let a writ of mandate issue directing respondent superior court to vacate its order denying Young America's motion for judgment on the pleadings and enter a new and different order granting that motion and denying leave to amend...

CANTIL-SAKAUYE, J.

We Concur:    Sims, Acting P.J.  
                  Davis, J.

**January 31, 2006**

**C046556      THE PEOPLE v. LAMB      (Certified for Partial Publication)**

The judgment is affirmed.

HULL, J.

We Concur:    Sims, Acting P.J.  
                  Davis, J.

**C046626      THE PEOPLE v. PHILLIPS      (Not for Publication)**

The judgment is reversed.

BUTZ, J.

We Concur:    Sims, Acting P.J.  
                  Nicholson, J.

**C046805      THE PEOPLE v. McELROY      (Not for Publication)**

The judgment is affirmed. The trial court is directed to prepare a corrected state prison minute order and abstract of judgment...

Blease, Acting P.J.

We Concur:    Hull, J.  
                  Butz, J.

**C047035      THE PEOPLE v. SPRINGS, JR.      (Not for Publication)**

The judgment is modified... In all other respects, the judgment is affirmed.

CANTIL-SAKAUYE, J.

We Concur:    Scotland, P.J.  
                  Butz, J.

**C048146      THE PEOPLE v. RICHARDSON      (Not for Publication)**

The judgment is affirmed.

RAYE, J.

We Concur:    Sims, Acting P.J.  
                  Cantil-Sakauye, J.

**COURT OF APPEAL  
STATE OF CALIFORNIA  
THIRD APPELLATE DISTRICT**

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**The Minutes**

**January 31, 2006, continued**

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|----------------|--|------------------------------|
| <b>C048238</b> | <b>THE PEOPLE v. LOGAN</b><br>The judgment is affirmed.<br>MORRISON, J.<br>We Concur: Davis, Acting P.J.<br>Cantil-Sakauye, J.   | <b>(Not for Publication)</b> |
| <b>C048817</b> | <b>THE PEOPLE v. SPEARE</b><br>The judgment is affirmed.<br>DAVIS, J.<br>We Concur: Blease, Acting P.J.<br>Butz, J.  | <b>(Not for Publication)</b> |
| <b>C048947</b> | <b>THE PEOPLE v. INGRAM</b><br>The matter is remanded with directions to the trial court to prepare an amended abstract of judgment... The judgment is affirmed as modified.<br>BUTZ, J.<br>We Concur: Raye, Acting P.J.<br>Hull, J. | <b>(Not for Publication)</b> |
| <b>C049055</b> | <b>THE PEOPLE v. LaCHAPPELLE</b><br>The judgment is affirmed.<br>MORRISON, J.<br>We Concur: Sims, Acting P.J.<br>Nicholson, J.   | <b>(Not for Publication)</b> |
| <b>C049213</b> | <b>THE PEOPLE v. ELLINGTON</b><br>The judgment is affirmed.<br>NICHOLSON, Acting P.J.<br>We Concur: Raye, J.<br>Robie, J.  | <b>(Not for Publication)</b> |
| <b>C049562</b> | <b>THE PEOPLE v. MADEROS</b><br>The judgment is affirmed.<br>NICHOLSON, Acting P.J.<br>We Concur: Raye, J.<br>Robie, J.  | <b>(Not for Publication)</b> |

**COURT OF APPEAL  
STATE OF CALIFORNIA  
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**The Minutes**

**January 31, 2006, continued**

- C049707      THE PEOPLE v. RICHARDSON      (Not for Publication)**  
The cause is remanded for the trial court to modify defendant's probation conditions in conformity with the views expressed in this opinion. The judgment is affirmed.  
MORRISON, J.  
We Concur:    Blease, Acting P.J.  
                     Sims, J.
- C050167      THE PEOPLE v. SANDS      (Not for Publication)**  
The judgment is affirmed.  
NICHOLSON, Acting P.J.  
We Concur:    Raye, J.  
                     Robie, J.
- C050184      THE PEOPLE v. ROMERO      (Not for Publication)**  
The judgment is affirmed.  
MORRISON, J.  
We Concur:    Raye, Acting P.J.  
                     Butz, J.
- C030487      COMMITTEE FOR RESPONSIBLE GOVERNMENT et al. v. AMADOR  
COUNTY AIR POLLUTION CONTROL DISTRICT et al.      (Not for Publication)**  
The appeal is dismissed. All parties shall bear their own costs on appeal...  
MORRISON, J.  
We Concur:    Sims, Acting P.J.  
                     Raye, J.
- C046145      TRICHE v. TAYLOR et al.      (Not for Publication)**  
The judgment of dismissal is affirmed. Costs on appeal are awarded to appellants. (Cal. Rules of Court, rule 27(a)(1).)  
NICHOLSON, J.  
We Concur:    Sims, Acting P.J.  
                     Hull, J.
- C047150      INTISO v. TURTLE BAY EXPLORATION PARK      (Not for Publication)**  
The judgment is affirmed.  
NICHOLSON, J.  
We Concur:    Davis, Acting P.J.  
                     Raye, J.

**COURT OF APPEAL  
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**The Minutes**

**January 31, 2006, continued**

**C047799      RAMIREZ v. UNION PACIFIC RAILROAD COMPANY**

**(Not for Publication)**

The order granting Union Pacific its costs is affirmed. Union Pacific shall recover its costs on appeal. (Cal. Rules of Court, rule 27(a).)

ROBIE, Acting P.J.

We Concur: Butz, J.

Cantil-Sakauye, J.

**C047900      TULL et al. v. YUBA COUNTY et al. and TEICHERT & SON, INC.**

**(Not for Publication)**

The judgment is reversed. This matter is remanded to the trial court with instructions to reinstate and grant the petition and order issuance of a peremptory writ of mandate...

NICHOLSON, J.

We Concur: Sims, Acting P.J.

Butz, J.

**C048610      MOHR et al. V. SNAVELY**

**(Not for Publication)**

The judgment is affirmed. Sharon receives her costs on appeal. (Cal. Rules of Court, rule 27(a).)

BUTZ, J.

We Concur: Blease, Acting P.J.

Nicholson, J.

**C049372      TANKERSLEY et al. v. STATE MINING AND GEOLOGY BOARD**

**(Not for Publication)**

The judgment is affirmed. The Board shall receive its costs on appeal.

HULL, J.

We Concur: Blease, Acting P.J.

Cantil-Sakauye, J.

**C049391      KAUFMAN & BROAD COMMUNITIES, INC. et al. v. PERFORMANCE  
PLASTERING, INC.**

**(CERTIFIED FOR PUBLICATION)**

The appeal is dismissed. Kaufman shall recover its costs on appeal. (Cal. Rules of Court, rule 27 (a) (2).)

ROBIE, J.

We Concur: Sims, Acting P.J.

Hull, J.

**COURT OF APPEAL  
STATE OF CALIFORNIA  
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**The Minutes**

**January 31, 2006, continued**

**C049454      KENNEDY et al. v. FRAZIER et al.      (Not for Publication)**  
The judgment is affirmed. Seller shall pay buyers their costs of this appeal...  
MORRISON, J.  
We Concur: Davis, Acting P.J.  
Robie, J.

**February 1, 2006**

**C048077      THE PEOPLE v. HALE      (Not for Publication)**  
The judgment is affirmed.  
Sims, Acting P.J.  
We Concur: Davis, J.  
Hull, J.

**C049076      THE PEOPLE v. ROBINSON      (Not for Publication)**  
The judgment is affirmed.  
HULL, J.  
We Concur: Sims, Acting P.J.  
Robie, J.

**C046421      THE PEOPLE v. VADEN      (Not for Publication)**  
The judgment is affirmed.  
CANTIL-SAKAUYE, J.  
We Concur: Scotland, P.J.  
Robie, J.

**C047659      KEPHART et al. v. TOYOTA MOTOR OF NORTH AMERICA, INC. et al. and  
GENUITY, INC.      (Certified for Partial Publication)**  
The judgment is affirmed.  
SCOTLAND, P.J.  
We Concur: Butz, J.  
Cantil-Sakauye, J.

**C048876      THE CROW LAW FIRM v. LOCKSHIN et al.      (Not for Publication)**  
The judgment is affirmed. Lockshin shall recover his costs on appeal.  
(Cal. Rules of Court, rule 27 (a) (1).)  
ROBIE, J.  
We Concur: Blease, Acting P.J.  
Sims, J.

**COURT OF APPEAL  
STATE OF CALIFORNIA  
THIRD APPELLATE DISTRICT**

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**The Minutes**

**February 1, 2006, continued**

**C049314      BAREFIELD v. WASHINGTON MUTUAL BANK**  
**(CERTIFIED FOR PUBLICATION)**

The judgment is affirmed. Defendant shall recover its costs on appeal.  
(Cal. Rules of Court, rule 27(a) (1).)

RAYE, J.

We Concur:   Nicholson, Acting P.J.  
                  Robie, J.

**C048937      In re LINDSAY B.; THE PEOPLE v. LINDSAY B.**  
**(Not for Publication)**

The matter is remanded to the juvenile court... The juvenile court's orders  
are otherwise affirmed.

RAYE, J.

We Concur:   Davis, Acting P.J.  
                  Cantil-Sakauye, J.

**C049148      In re VELMA B. et al.; SACRAMENTO COUNTY DEPARTMENT OF HEALTH  
AND HUMAN SERVICES v. ERVIN B.      (Not for Publication)**

The orders are affirmed.

CANTIL-SAKAUYE, J.

We Concur:   Scotland, P.J.  
                  Robie, J.

**C051497      BARRETT v. BESSEL**  
**BY THE COURT:**

Respondent's petition for rehearing is denied.  
SCOTLAND, P.J.

**February 2, 2006**

**There are no minutes for this date.**

**February 3, 2006**

**C047088      THE PEOPLE v. HINKLEY      (Not for Publication)**

The judgment is affirmed.

BLEASE, Acting P.J.

We Concur:   Hull, J.  
                  Cantil-Sakauye, J.

**COURT OF APPEAL  
STATE OF CALIFORNIA  
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**The Minutes**

**February 3, 2006, continued**

- C047538      THE PEOPLE v. BUTLER      (Not for Publication)**  
The judgment is affirmed.  
NICHOLSON, J.  
We Concur:    Blease, Acting P.J.  
                 Cantil-Sakauye, J.
- C050203      THE PEOPLE v. LUJAN      (Not for Publication)**  
The judgment is affirmed.  
CANTIL-SAKAUYE, J.  
We Concur:    Sims, Acting P.J.  
                 Raye, J.
- C046541      BARDIS v. CAPITOL RACING et al.      (Not for Publication)**  
The order denying the motion to strike is affirmed. Bardis shall recover costs on appeal.  
RAYE, J.  
We Concur:    Scotland, P.J.  
                 Sims, J.
- C048070      ROSA JR. v. CALIFORNIA BOARD OF ACCOUNTANCY      (Not for Publication)**  
The judgment is affirmed. Costs on appeal are awarded to the Board of Accountancy. (Cal. Rules of Court, rule 27 (a).)  
NICHOLSON, Acting P.J.  
We Concur:    Robie, J.  
                 Cantil-Sakauye, J.
- C050446      In re S.D.; SACRAMENTO COUNTY DEPARTMENT OF HEALTH AND HUMAN SERVICES v. T.D.      (Not for Publication)**  
The order terminating T.D.'s parental rights is affirmed.  
NICHOLSON, Acting P.J.  
We Concur:    Raye, J.  
                 Robie, J.